

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

M.D. RICHARD ARJUN KAUL, *et al.*,  
Plaintiffs,

-v-

INTERCONTINENTAL EXCHANGE, *et al.*,  
Defendants.

21-CV-6992 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

On September 12, 2022, the Court issued an Opinion and Order granting Defendants' motion to dismiss, noting that Plaintiff Kaul "has a history of being a vexatious and harassing litigant." (ECF No. 168 at 16.) Kaul "harasses officials to manufacture litigation." (*Id.*) In particular, "[i]t appears that one of Mr. Kaul's tactics is to send a letter to someone alerting them to the alleged conspiracy (or asking them to disclaim involvement) and then, if the recipient does not respond, concluding that they are a participant in the conspiracy." (*Id.* (quoting *Kaul v. Bos. Partners, Inc.*, No. 21-CV-10326, 2021 WL 3272216, at \*3 n.13 (D. Mass. July 30, 2021).)

Kaul, joined by co-Plaintiff David Basch, once again attempts to employ this tactic via a motion for judicial disqualification. (ECF No. 171.) Their arguments pursuant to 28 U.S.C. § 455 and 28 U.S.C. § 144 are unsupported, impermissibly speculative, and without merit.

The motion is therefore DENIED.

The Clerk of Court is directed to close the motion at ECF No. 171.

SO ORDERED.

Dated: August 14, 2023  
New York, New York

  
J. PAUL OETKEN  
United States District Judge